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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/560,613

12/14/2005

Pietro Bigoni

377/9-2179

7269

28147 7590 12/24/2008

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EXAMINER

MILLER, SAMANTHA A

ART UNIT

PAPER NUMBER

3749

MAIL DATE

DELIVERY MODE

12/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,613	Applicant(s) BIGONI, PIETRO	
	Examiner SAMANTHA A. MILLER	Art Unit 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Receipt of the amendment filed 9/25/2008 is acknowledged.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 claims the limitation “an inner environment” in the 7th line;
however this limitation was introduced in the 3rd line.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by MATTSON (Pat. 4,967,645). MATTSON teaches in the specification and Figs.1- 3 an invention in the same field of endeavor as applicant's invention that is described in the applicant's claims.

MATTSON teaches:

8. One or more enclosing panel means (housing shown in Fig.1) assembled together to define an inner environment (23) within which the packaging machine (of

Art Unit: 3749

Gowns) is located, at least one juncture located adjacent an edge of the one or more enclosing panel means, at least one enclosing panel means being a movable wing (doors of 61 and 62 move and make up a wing in the clean room), hinged (swinging path shown in Fig.1) to an upright of the enclosing structure (col.5 ll.36-42), said one or more enclosing panel means separating an inner environment (23) of the enclosing structure which is substantially enclosed and isolated from an outer environment (13) (Fig.1), said movable wing being formed by a first panel (62) and a second panel (61), coupled together (by the walls of 25) and fastened in a facing relation on opposite sides of a frame (walls of 25), the first panel and the second panel being located at a prefixed distance relative to each other to form an intermediate space (space of 25) therebetween, a flow of purified air being circulatable therethrough (col.4 ll.12-18); said first panel facing said inner environment and having at least one inner conveying channel (thru 61 and 62) for passing purified air by the frame situated near at least one edge of said first panel, said inner conveying channel being in fluid communication with said inner environment, so that a flow of purified air passes from the intermediate space through the inner conveying channel toward the inner environment at the at least one edge; said second panel (61) facing said outer environment and having at least one outer conveying channel for passing purified air by the frame situated near the at least one edge of said second panel, said outer conveying channel being in fluid communication with said outer environment, so that a flow of purified air passes from said intermediate space through said outer conveying channel toward the outer environment at the at least one edge, the purified air passing through the inner

Art Unit: 3749

conveying channel and the outer conveying channel forming a fluid-dynamic sealing barrier (when doors at 61 and 62 are closed) at the edge of the panel means for preventing contaminants from entering the inner environment at the panel means edge.

9. The diverting baffle plates (52 and 53) situated in said intermediate space or facilitating conveyance of said flow of purified air toward said inner and outer conveying channels (col.5 ll.24-35) (Fig.1).

10. The at least two adjacent panel means are each movable wings (doors at 61 and 62), hinged to uprights of the structure (Fig.1), the two wings having edges in a facing relation defining an intermediate area (Fig.1) therebetween, a further channel (101) being defined by the opposed edges of the wings in said intermediate area; said further channel being in fluid communication with the intermediate space of each of said wings, each of which has inner conveying channels and outer conveying channels which direct purified air into the further channel, a flow of purified air circulating through said further channel directed from said intermediate space to said outer environment (129); and a flow of purified air circulating through said further channel directed from said intermediate space to said inner isolated environment, such that no contaminants can pass through the intermediate area to contaminate the inner environment (col.2 col.5 ll.7-18).

11. At least one inspection aperture (101) made in a panel means (Fig. 3), said aperture having isolating pneumatic (113, 31, 32, 37, 38) means coupled thereto to form a fluid-dynamic barrier (air curtain) extending along an entire length of the aperture (col.5 ll.7-18 and col.6 ll.12-27).

12. The isolating pneumatic means include at least one first conduit and at least one second conduit (Fig.2), situated on opposite sides of said aperture (Fig.2), said first conduit having a series of nozzles (35) for delivering compressed purified air directed towards said second conduit, said second conduit having openings for receiving the air coming from the nozzles of said first conduit to provide an air curtain therebetween (Fig.2).

Response to Arguments

Applicant's arguments filed 9/25/2008 have been fully considered but they are not persuasive.

Applicant contends that MATTSON does not teach a movable wing. However claims are afforded the broadest reasonable interpretation. In this case claim 8 requires, "said movable wing being formed by a first panel and a second panel, coupled together and fastened in a facing relation on opposite sides of a frame, the first panel and the second panel being located at a prefixed distance relative to each other to form an intermediate space therebetween, a flow of purified air being circulatable therethrough". The wing in the clean room made up of door 61, door 62, and the frame or walls surrounding them and forming 25. The doors 61 and 62 clearly move as it is described (col.5 ll.36-42) they reduce the cross ventilation, they are also doors which inherently open and close, along with Figure 1 that clearly shows a drawing of doors and the lines of motion that they travel.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha A. Miller whose telephone number is 571-272-9967. The examiner can normally be reached on Monday - Thursday 9:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Rinehart can be reached on 571-272-4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samantha Miller
Examiner
Art Unit 3749
12/20/2008

/Steven B. McAllister/

Supervisory Patent Examiner, Art Unit 3749

Application/Control Number: 10/560,613
Art Unit: 3749

Page 7